

REMARKS

Claims 1 – 16 are pending in the application. Claims 1 and 6 are amended.

Claim Rejections – 35 USC 112

Claim 15 is rejected under 35 USC 112 for claiming that a wireless protocol is used over a cable, without any support as to how this might be done.

Examiner's attention is respectfully drawn to Fig. 24 and to the corresponding explanation, in particular page 27 line 27 and page 27 last line, where it is taught that WiMax support (WiMax being a wireless protocol) can be integrated into the cable STB. If this is done then lines 31 and 32 teach that coax cable can be used for *any part* of the route.

It is thus believed that the teaching of claim 15 is supported and no amendment is necessary.

Claim Rejections – 35 USC 103

Claims 1, 4 – 9 and 12 – 15 are rejected under 35 USC 103(a) as being unpatentable over Reisman, US Publication No. 2004/0031058 in view of Perlman, US Pub No. US 2004/0110463.

The Examiner further rejected claims 2 – 3, 10 – 11, and 16 under 35 USC 103(a) as being unpatentable over Reisman in view of Perlman and further in view of Kalika.

Favorable reconsideration of this rejection in view of the above amendments and the following explanation is respectfully requested.

Claims 1 and 6 and their dependencies

Claims 1 and 6 have been amended to both emphasize that WAN support electronics is built into the rooftop installation and that a cable is used as the connection to the internal infrastructure.

As stated in the previous response, Reisman teaches a method and apparatus for browsing using alternative linkbases. His teaching provides Internet or wireless connections to a home LAN where return channels are available to allow for interactivity.

The present invention by contrast relates to infrastructure for supporting *broadcast* and return channels.

Perlman teaches using a LAN connection in association with a satellite receiver in order to transmit the broadcast from the satellite receiver into the building.

The Examiner's rejection as understood by the applicant, essentially points to Reisman paragraph 150 which teaches a WAN and to Reisman Fig. 1 which teaches a satellite broadcast connection. Reisman, as agreed by the Examiner, fails to teach that the satellite broadcast connection and the WAN should be combined on the same modified rooftop installation.

In order to plug this hole the Examiner takes Perlman. However Perlman does not plug this hole since he never combines WAN with a satellite broadcast connection. On the contrary he combines a LAN transmitter with the satellite broadcast transmitter. This difference is important because, as the Examiner himself notes, the rationale for the connection in Perlman is to provide the signal in a convenient way to multi-resident premises. There is no suggestion in Perlman

to use a WAN and certainly not to use it for a *return channel*. Reisman, which does teach a return channel, fails to teach integrating the WAN infrastructure with the broadcast infrastructure.

In order to emphasize the difference, claim 1 has been amended to include a cable to connect to the internal infrastructure.

Given that the connection to the internal infrastructure is *cable*, it would make no sense for the skilled person to try to solve the problems left by Reisman by taking Perlman. Perlman teaches *using a LAN to connect to the internal infrastructure* and the claim teaches a device which is *already connected* to the internal infrastructure.

Furthermore even if the skilled person were to follow the teaching of Perlman and replace the cable of the claim with the LAN of Perlman he would fail to have the claimed device for two reasons:

- 1) he would lack the cable as he has just replaced it with the LAN

- 2) he would still not have WAN support electronics built into his rooftop assembly, since only Reisman mentions a WAN connection at all, and Reisman fails to discuss a rooftop assembly.

It is therefore submitted that claim 1 is novel and inventive over the citation.

Claim 14 and its dependencies.

The Examiner accepts that Reisman does not disclose wherein a wide area network transmission standard is used over both said wireless network part and said cable network part.

The Examiner however alleges that these features are to be found in Perlman Figures 7 and 8 and paragraphs 33 and 45.

But Perlman paragraph 33 merely teaches that the wireless transceiver can be inserted into a distribution box, and there is nothing about a wireless communication protocol.

Perlman paragraph 45 merely teaches that repository unit 64 communicates via wireless transmission using a wireless transceiver connected to a wireless antenna. It is mentioned that unit 64 can be connected by wire 69 to the transceiver 69, but this is apparently “to utilize the transceiver in signal unit 58 for wireless communications”. In other words it appears that unit 64 sends control signals by wire to operate the signaling unit. This is not the same as transmitting wireless signals by cable.

Neither of these paragraphs, 33 or 45, relate to any kind of *transmission protocol*, whether cable *or* wireless, and certainly do not teach the use of a *wireless protocol* over *both* wireless and cable infrastructure parts.

Likewise neither of Figures 7 and 8 relate to protocols of any kind.

It is therefore submitted that claim 14 is both novel and inventive over the citation, contrary to the finding of the Examiner.

In any event Perlman does not relate *anywhere* to *wide* area network protocols, since his system utilizes a LAN.

Thus the combination of Perlman and Reisman fails to teach:

A hybrid cable and wireless bidirectional transmission network comprising a wireless network part and a cable part and wherein a *wide area network transmission standard is used over both said wireless network part and said cable part.*

The remaining claims mentioned in the Office Action are believed to be allowable as being dependent on an allowable main claim. The rejections against the individual dependent claims are thus not dealt with directly.

All of the matters raised by the Examiner have been dealt with and are believed to have been overcome.

It is respectfully submitted that the Examiner has not made a *prima facie* case of lack of novelty or of obviousness against claim 14 in the present rejection.

In view of the foregoing, it is respectfully submitted that all the claims now pending in the application are allowable.

An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



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